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| 10/601,530 | 06/24/2003 | Kimihide Takahashi | Q76183 | 9526 |

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| EXAMINER |
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MADDEN, GREGORY VINCENT

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| ART UNIT | PAPER NUMBER |
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2622

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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| 3 MONTHS | 01/11/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/601,530

Applicant(s)

TAKAHASHI, KIMIHIDE

Examiner

Gregory V. Madden

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments (see Remarks, filed 11/3/2006) with respect to the rejection(s) of claim(s) 1-11 under 35 U.S.C 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Nishimura et al. (U.S. Pat. 5,734,414).

Regarding claims 1-11, Applicant has submitted a Certified English Translation of Japanese priority document JP 2002-183789, which has a filing date of June 25, 2002. The Terane reference (U.S. Pat. 6,812,971) used in the rejection to claims 1-12 was filed on September 9, 2002, and therefore the Terane reference is not longer considered prior art under 35 U.S.C. 102(e). The Nishimura et al. reference, however, does constitute as prior art under 35 U.S.C 102(b) and will thus be used in a new ground of rejection. Please refer to the updated non-final rejection set forth below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishimura et al. (U.S. Pat. 5,734,414).

First, regarding claim 1, the Nishimura reference teaches a digital camera system comprising a digital camera (lens block 72) and a cradle (support base 73) on which the digital camera is mounted,

wherein the cradle comprises a movable portion (lens block holding member 711), a signal generating device (main control part 734) which generates a command signal for changing functions (such as the zooming control) of the digital camera according to a position of the moveable portion (e.g. the tilt angle), and a signal transmitting device (main control part 734) which transmits the command signal generated by the signal generating device to the digital camera. Further, Nishimura teaches that the digital camera comprises a signal receiving device (AF and Zooming circuit part 725) which receives the command signal generated according to the position of the movable portion of the cradle, and a mode control device (725) which changes operation modes of the digital camera according to the command signal transmitted from the cradle. Please refer to Figs. 3A, 5, and 6, Col. 4, Lines 26-55, and Col. 6, Line 62 – Col. 7, Line 54.

As for **claim 2**, Nishimura discloses a cradle (support base 73) on which a digital camera (lens block 72) is mounted, the cradle comprising a movable portion (lens block holding member 711), a signal generating device (main control part 734) which generates a command signal for changing functions of the digital camera (such as the zooming control) according to a position of the moveable portion (e.g. the tilt angle), and a signal transmitting device (main control part 734) which transmits the command signal generated by the signal generating device to the digital camera. Please refer again to Figs. 3A, 5, and 6, Col. 4, Lines 26-55, and Col. 6, Line 62 – Col. 7, Line 54.

Considering **claim 3**, the Nishimura reference teaches the limitations of claim 2 above, and Nishimura further teaches that the movable portion (lens block holding member 711) comprises a camera mounting unit (bearing parts 711a) on which the digital camera (72) is mounted. Please refer to Col. 4, Lines 61-64 and Fig. 3a.

In regard to **claim 4**, the limitations of claim 3 are taught above, and Nishimura also discloses that the cradle comprises a leg portion (camera unit body 71) which supports the camera mounting unit,

Art Unit: 2622

wherein the camera mounting unit (711a) is coupled to the leg portion (71) through a movable system.

Please refer again to Fig. 3a and Col. 4, Lines 26-64.

Next, regarding **claim 5**, the limitations of claim 4 are taught above, and Nishimura teaches that the movable system allows enables the camera mounting unit (711a) to move relatively to the leg portion (71) (e.g. the camera mounting unit tilts the digital camera relative to the leg portion), wherein the moving style of the camera mounting unit is tilting with respect to the leg portion. See Figs. 1-3a, Col. 4, Lines 26-55, and Col. 6, Line 62 – Col. 7, Line 54.

As for **claim 6**, the limitations of claim 5 are taught above, and Nishimura discloses in Col. 7, Lines 36-54 that the movable system enables the movable portion (lens block holding member 711) to move in a predetermined moving range.

Considering **claim 7**, the limitations of claim 2 are taught above, and the cradle further comprises a communications interface (73c) for connection and communications with external equipment (e.g. monitor 1), wherein the digital camera is connected to communicate with the external equipment through the cradle by mounting the digital camera on the cradle. Please refer to Figs. 3a, 5, and 6, and Col. 5, Lines 30-34.

Regarding **claim 8**, the limitations of claim 7 are set forth above, and Nishimura also teaches that the signal generating device (main control part 734) generates a signal (based on the output from tilt sensor 714) for switching functions of the digital camera for the external equipment (monitor 1) connected for communications through the cradle. See Figs. 3a, 5, and 6, and Col. 7, Lines 25-54.

Next, in regard to **claim 9**, the Nishimura reference teaches a digital camera (lens block 72) capable of being mounted on a cradle (support base 73), wherein the the digital camera comprises a signal receiving device (AF and Zooming circuit part 725) which receives the command signal generated according to the position of the movable portion of the cradle, and a mode control device (725) which

Art Unit: 2622

changes operation modes of the digital camera according to the command signal transmitted from the cradle. Please refer to Figs. 3A, 5, and 6, Col. 4, Lines 26-55, and Col. 6, Line 62 – Col. 7, Line 54.

As for **claim 10**, the limitations of claim 9 are taught above by Nishimura, and Nishimura further teaches that the operations modes are changed according to the command signal (based on the output from tilt sensor 714) while the digital camera (72) is mounted on the cradle and powered up (via power source 734a). See Fig. 3a and Col. 6, Line 62 – Col. 7, Line 54.

Finally, considering **claim 12**, Nishimura teaches a digital camera system in which a digital camera (72) is connected to communicate with external equipment (monitor 1) when the camera is mounted on a cradle (73), wherein the cradle comprises a tilt angle changing device (tilt motor 712, and tilt drive transmission gear 713) that changes the tilt angle of a camera, a determination device (tilt sensor 714) which determines a change in the tilt angle of the digital camera by the tilt angle changing device, and a command device (main control part 734) which outputs a function change signal (i.e. document pick-up position or pick-up of a personal subject) to the digital camera according to the determination result (or tilt angle) of the determination device (tilt sensor 714). See Figs. 3a and 5, and Col. 7, Lines 24-50.

Allowable Subject Matter

Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding **claim 11**, the prior art fails to teach or reasonably suggest, in combination with the limitations of Applicant's claim 9, a digital camera comprising a charge control device which, when the

Art Unit: 2622

digital camera is mounted on the cradle with the digital camera being powered down, automatically sets a charge mode where a battery in the digital camera is charged by power supplied through the camera.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hayashi (U.S. Pat. 5,550,588)

Clapp et al. (U.S. Pat. 5,374,971)

Miura (U.S. Pub. 2002/0176006)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory V. Madden whose telephone number is 571-272-8128. The examiner can normally be reached on Mon.-Fri. 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Madden
January 4, 2007



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER